

**SENATE BILL NO. 232**

February 3, 1999, Introduced by Senator HAMMERSTROM and referred to the Committee on Transportation and Tourism.

A bill to amend 1967 PA 288, entitled  
"Land division act,"  
by amending section 253 (MCL 560.253).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 253. (1) When a plat is certified, signed,  
2 acknowledged, and recorded as prescribed in this act, every dedi-  
3 cation, gift, or grant to the public or any person, society, or  
4 corporation marked or noted as such on the plat shall be ~~deemed~~  
5 CONSIDERED A sufficient conveyance to vest the fee simple of all  
6 parcels of land so marked and noted, and shall be considered a  
7 general warranty against the donors, their heirs and assigns to  
8 the donees for their use for the purposes ~~therein~~ expressed IN  
9 THE DEDICATION, GIFT, OR GRANT and ~~no other~~ ANY OTHER PUBLIC  
10 USE THAT DOES NOT UNREASONABLY INTERFERE WITH OR PROHIBIT THOSE  
11 PURPOSES.

1           (2) The land intended for the streets, alleys, commons,  
2 parks, or other public uses as designated on the plat shall be  
3 held by the municipality in which the plat is situated in trust  
4 ~~to and~~ for ~~such~~ THOSE uses and purposes AND OTHER PUBLIC USES  
5 DESCRIBED IN SUBSECTION (1).

6           (3) A PLAT THAT INCLUDES STREETS DEDICATED FOR PUBLIC USE  
7 THAT TERMINATE AT THE EDGE OF NAVIGABLE WATER IS PRESUMED TO  
8 INCLUDE THE RIGHT TO PUBLIC ACCESS TO THAT WATER, THE RIGHT TO  
9 SHORELINE ACTIVITIES INCLUDING, BUT NOT LIMITED TO, SUNBATHING,  
10 LOUNGING, OR PICNICKING, AND THE BUILDING OF STRUCTURES TO AID IN  
11 PUBLIC ACCESS.

12           (4) A MUNICIPALITY MAY BY ORDINANCE REGULATE THE USAGE OF  
13 STREETS DESCRIBED IN SUBSECTION (3) TO PROMOTE PUBLIC ACCESS AND  
14 ENJOYMENT.

15           (5) ~~(3)~~ A reservation or an ownership interest in mineral  
16 rights or underground gas storage rights in land shall not con-  
17 stitute the holding of title for the purpose of signing the  
18 proprietor's certificate.